

REMARKS

Applicants thank the Examiner for withdrawing the rejections of the January 1, 2004

Final Office Action.

Status of the Application

Claims 1-24 are all the claims pending in the Application, as claims 25-32 are hereby added. Claims 1-24 have been rejected.

Indefiniteness Rejection

The Examiner has rejected claims 1 and 2 as allegedly being indefinite under 35 U.S.C. § 112, second paragraph. The alleged informalities cited by the Examiner have been corrected. Thus, withdrawal of the rejection is respectfully requested.

Claim Rejections

The Examiner has rejected: (1) independent claims 1, 2, 11 and 12 under 35 U.S.C. § 102(b) as being anticipated by *Sarbadhikari et al.* (US 5,477,264; hereinafter “*Sarbadhikari*”); (2) claims 3-8 and 13-18 under 35 U.S.C. § 103(a) as being unpatentable over *Sarbadhikari* in view of JP 09-046577 (hereinafter “*JP '577*”); and (3) claims 9, 10 and 19-24 under 35 U.S.C. § 103(a) as being unpatentable over *Sarbadhikari* in view of *Steinberg et al.* (US 6,006,039; hereinafter *Steinberg*). These rejections are respectfully traversed.

Independent Claims 1, 2, 11 and 12

The Examiner takes the position that *Sarbadhikari* discloses all of the features of independent claims 1, 2, 11 and 12.

Applicants respectfully disagree, and respectfully submit that *Sarbadhikar* fails to teach or suggest, *inter alia*, “waiting for a program transmitting command from an external recording medium;” or “receiving the program transmitting command from the external recording medium,” or “transmitting a request-to-send program command to the external recording medium,” as recited in the independent claims.

Specifically, *Sarbadhikar* discloses a camera that utilizes a removable memory card (element 24 in FIG. 2) to both store image data files and enhancement data files to modify the camera operation (col. 6, lines 53-60). In operation, when the memory card 24 is inserted into the camera, the processor 20 of the camera determines if the memory card 24 contains such enhancement data files. If the card does contain appropriate enhancement files, “these are downloaded from the ... card 24 to the RAM instruction memory 31 and used” by the camera (col. 7, lines 51-65).

Thus, it is clear that, when the memory card 24 is inserted into *Sarbadhikar*’s camera, the camera searches the memory card, and then pulls data from the card (*i.e.*, the memory card 24 is simply a data holder). Accordingly, *Sarbadhikar* cannot reasonably be interpreted as teaching or suggesting that the memory card 24 itself provides any active functionality, such as a provision of the recited “program transmitting command” therefrom.

Further, Applicants respectfully submit that *Sarbadhikar* cannot reasonably be interpreted as teaching or suggesting any particular transmission of a “request-to-send program command.”

Sarbadhikar is silent with respect to such a transmission.

Thus, Applicants respectfully submit that independent claims 1, 2, 11 and 12 are patentable over the applied reference.

Further, Applicants respectfully submit that rejected dependent claims 3-10 and 13-24 are allowable, *at least* by virtue of their dependency, and that the secondarily applied references, *JP '577* and *Steinberg*, fail to teach or suggest the deficiencies of *Sarbadhikar* noted above.

Thus, Applicants respectfully request that the Examiner withdraw this rejection.

New Claims

Claims 25-32 are hereby added. Claims 25-32 are fully supported *at least* by FIGS. 2(a)-2(c) of the instant Application, and are respectfully submitted to be allowable both by virtue of their dependency and by virtue of the features recited therein.

Conclusion

In view of the foregoing, it is respectfully submitted that claims 1-32 are allowable. Thus, it is respectfully submitted that the application now is in condition for allowance with all of the claims 1-32.

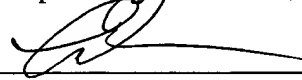
If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Amendment Under 37 C.F.R. § 1.111
U.S. Appln. No.: 09/414,507

Attorney Docket # Q56144

Please charge any fees which may be required to maintain the pendency of this
application, except for the Issue Fee, to our Deposit Account No. 19-4880.

Respectfully submitted,



Timothy P. Cremen
Registration No. 50,855

SUGHRUE MION, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3213
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: October 26, 2004